

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	
UNITED STATES OF AMERICA	:	<u>SUPERSEDING INFORMATION</u>
	:	
- v. -	:	S2 20 Cr. 660 (ALC)
	:	
BESIM KUKAJ,	:	
	:	
Defendant.	:	
	:	
- - - - -	X	

COUNT ONE

(Conspiracy to Commit Bank Fraud)

The United States Attorney charges:

1. From in or about April 2020 up to and including in or about June 2021, in the Southern District of New York and elsewhere, including while BESIM KUKAJ, the defendant, was on release pursuant to an order of the United States District Court for the Southern District of New York issued pursuant to Title 18, United States Code, Section 3142(c), BESIM KUKAJ, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that BESIM KUKAJ, the defendant, and others known and unknown, would and did knowingly execute, and attempt to execute, a scheme and artifice to defraud financial institutions, and to obtain moneys, funds,

credits, assets, securities, and other property owned by, and under the custody and control of, such financial institutions, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344, to wit, KUKAJ agreed with one or more others to and did participate in a scheme to obtain Government-guaranteed loans from banks through the Paycheck Protection Program by means of false and fraudulent pretenses, representations, and documents.

(Title 18, United States Code, Sections 1349 and 3147(1).)

COUNT TWO

(Interstate Threats)

The United States Attorney further charges:

3. On or about November 6, 2019, in the Southern District of New York and elsewhere, BESIM KUKAJ, the defendant, knowingly transmitted in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, at the urging of KUKAJ, a co-conspirator ("CC-1") placed a telephone call, which traveled in interstate commerce, to a victim ("Victim-1"), during which call CC-1 threatened physical violence against Victim-1.

(Title 18, United States Code, Sections 875(c) and 2.)

FORFEITURE ALLEGATION

4. As a result of committing the offenses charged in Counts One and Two of this Superseding Information, BESIM KUKAJ, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One and Two of this Superseding Information.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c) to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)

A handwritten signature in dark ink, appearing to read "Damian Williams", is written over a horizontal line.

DAMIAN WILLIAMS
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

BESIM KUKAJ,

Defendant.

SUPERSEDING INFORMATION

S2 20 Cr. 660 (ALC)

(18 U.S.C. §§ 875(c), 1349, 3147, and 2.)

DAMIAN WILLIAMS

United States Attorney.